Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

DOC # 00354959
Affidavits B: 0602 P: 0931
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#### THE STATE OF UTAH

### TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Sevier County known as 1021d Northwest to North Cedar Ridge Canyon Road; County Road Number: 6215; State Geographic Information Database (SGID) Road Identification Number: RD210060.

This document supplements and supports the information contained in the document first recorded at **Doc** # 00344654, Bk 0561, Beg Pg 0319, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on 2/13/2008 at Doc #00352471 Bk 0591, Beg Pg 0546. A legal description is attached hereto as Exhibit B.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25th day of June, 200 8.

By the Governor's Designee

CERTIFICATION

State of Utah : SS County of Salt Lake

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM 5110 State Office Bldg Salt Lake City, Utah 84114 Dated this 25th day of flene, 2008.

Panela Z. Blackhan

Notary Public

# Exhibit A

DOC # 00354959

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#### AFFIDAVIT OF JAY BARNEY

#### NORTHWEST TO NORTH CEDAR RIDGE CANYON ROAD

### SEVIER COUNTY, UTAH

#### **COUNTY ROAD NUMBER 6215**

State of Utah	)
	: ss
County of Sevier	)

JAY BARNEY, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Richfield, Sevier County, Utah. I have lived in Sevier County since 1935.
- 2. I have traveled and am familiar with a road in Sevier County known as the Northwest to North Cedar Ridge Canyon Road (County Road Number 6215). I am also familiar with the land the road traverses. When I first used and observed the road in 1937, it followed the same route as in the 2004 when I last observed it. Attached is a Sevier County map showing the Northwest to North Cedar Ridge Canyon Road (County Road Number 6215). To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number
   listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1937 and continuing through 1976 to the 2004.

  Throughout this time period I have observed travel on the road by various means, including horses, wagons, automobiles, four wheelers, pickups and trucks. Throughout this time period, the road has been used daily.

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- 5. Throughout the time period from 1937 to the 2004, I have used the road myself for the following uses: Hunting and recreation.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs, plus the following uses: Oil and gas exploration, prospecting for minerals, government access, wood gathering, livestock operations.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the 2004, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed graders performing maintenance and construction on the road.

DATED this \_//\_ day of November, 2006.

JAY BARNEY

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_\_\_ day of November, 2006.

Notary Public GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City. UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

Slova Schrader NOTARY PUBLIC

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5 0 0 ĝ B 6215 - NW TO NORTH CEDAR RIDGE CANYON - RED Class "B" Maintained Roads - Blue BLM - Ownership - Yellow 3 DOC # 00354959

Affidavits B: 0602 P: 0935

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SEVIER COUNTY RS2477 October 19, 2006

### AFFIDAVIT OF THAD WASDEN NORTHWEST TO NORTH CEDAR RIDGE CANYON ROAD SEVIER COUNTY, UTAH COUNTY ROAD NUMBER 6215

State of Utah	)
	: ss.
County of Sevier	)

THAD WASDEN, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Aurora, Sevier County, Utah. I have lived in Sevier County since 1942.
- 2. I have traveled and am familiar with a road in Sevier County known as the Northwest to North Cedar Ridge Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1942, it followed the same route as in 2005 when I last observed it.

  Attached is a Sevier County map showing the Northwest to North Cedar Ridge Canyon Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1942 and continuing through 1976 to 2005.

  Throughout this time period I have observed travel on the road by various means, including trucks and ATV's. Throughout this time period, the road has been used weekly.
- 5. Throughout the time period from 1942 to 2005, I have used the road myself for the following uses: Cattle operations.
- 6. Throughout the time period described in the previous paragraphs, I observed vehicles using the road at various times for the uses described in the previous paragraphs. plus the following



uses: Government access, wood gathering, livestock operations, recreations, hunting, and accessing the forest and livestock permit areas.

- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1900's and continuing through 1976 to 2006, for the uses described in the previous paragraphs.
  - 8. Prior to 1976, I observed the graded and gravel surface of the road.

DATED this /3 day of November, 2006.

THAD WASDEN

SUBSCRIBED AND SWORN to before me this \_/st day of November, 2006.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC

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Affidavits B: 0602 P: 0937

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0 S. Mary ĵ B 6215 - NW TO NORTH CEDAR RIDGE CANYON - RED Class "B" Maintained Roads - Blue BLM - Ownership - Yellow 3 DOC # 00354959

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SEVIER COUNTY RS2477 October 19, 2006

#### Exhibit B

## Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: 1021d Northwest to North Cedar Ridge Canyon Road

County: Sevier

County Road Number: 6215

State Geographic Information Database (SGID) Road Identification Number: RD210060.

Total Road Length: 1.75 miles more or less.

**Beginning at a point** on the road centerline located at 38 degrees 52 minutes 42.28 seconds North Latitude and -112 degrees 00 minutes 38.24 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,495,041.7 feet and Y = 6.760.623.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 51 minutes 42.47 seconds North Latitude and -111 degrees 59 minutes 16.33 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,501,486.5 feet and Y = 6,754,536.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 22 South Range 2 West, Section(s) 22,23,26, Salt Lake Base & Meridian

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